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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Art Unit: 3738
Mauricio Rodolfo CARRASCO Attorney Docket. No.: 026254-00021
Application No.: 10/696,774 Confirmation No.: 6897
Filed: October 30, 2003 Examiner: Paul B. PREBILIC
For: IMPLANT FOR VERTEBRAL REPLACEMENT AND RESTORATION OF THE
NORMAL SPINAL CURVATURE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Date: March 21, 2006

Sir:

In response to the Election/Restriction Requirement dated February 24, 2006, Applicant hereby elects to have further prosecution in this application be directed at this time to Group I, Species E, drawn to Figure 1, without traverse. Claims 1-2, 5-16, 19-21, 25-29, 31-32, 34-35, 37-43, and 45-46 read on the elected species.

Applicant further notes that Claim 1 is generic to all species, as indicated on page 2, line 18 of the Election/Restriction Requirement dated February 24, 2006. As such, Applicant reserves the right under 37 C.F.R. § 1.141 to rejoin the claims directed to the non-elected species upon allowance of generic Claim 1.

Also, Applicant reserves the right to file one or more divisional applications on the non-elected subject matter.

In view of the Applicant's above election, Applicant respectfully submits that the Election of Species/Restriction Requirement has been satisfied. Accordingly, Applicant

respectfully requests examination of elected Claims 1-2, 5-16, 19-21, 25-29, 31-32, 34-35, 37-43, and 45-46 on the merits.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 026254-00021.**

Respectfully submitted,
ARENT FOX PLLC

A handwritten signature in black ink, appearing to read "Darien Reddick", is written over a horizontal line.

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